

**REMARKS**

The drawings are objected to under 37 CFR 1.83. Applicants are confused as to the position the Examiner has taken on this issue. FIGs. 2A-2B and 3A-3B illustrate a MOSFET and that is clearly described throughout the specification. Furthermore, FIGs. 2B and 3B illustrate the construction of a pMOS (p-type MOSFET) device. As described, the elements of FIG. 2B and 3B can also be used to form a NMOS (n-type MOSFET) device. Applicants are willing to amend the figures to satisfy the Examiner's concerns, however, as it stands all elements regarding MOSFET, nMOS, and pMOS devices are supported.

Claims 43-49, 51-55, 69-71, 73-75, and 77-81 are rejected under 35 USC §102(e) as being anticipated by Bedell et al., U.S. 6,805,962. Claims 50 and 76 are rejected under 35 USC §102(b) as being unpatentable over Bedell et al. '962 in view of Chu et al., U.S. 5,906,951. In addition, claim 56 has been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 43 has now been amended to include the limitations of claim 56. Therefore, claims 43-55 are now allowable. Claim 69 has been amended to also include the limitations added in claims 43. Given that the subject matter of the added limitations is allowable, as stated by the Examiner, claims 69-81 are also allowable.

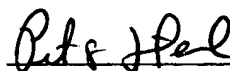
Claims 57-68 are allowable.

In view of the above amendments and for all the reasons set forth above, the Examiner is respectfully requested to reconsider and withdraw the objections and rejections made under 35

U.S.C. §§ 103 and 112, first and second paragraphs. Accordingly, an early indication of allowability is earnestly solicited.

If the Examiner has any questions regarding matters pending in this application, please feel free to contact the undersigned below.

Respectfully submitted,



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Peter S. Stecher  
Registration No. 47,259  
Gauthier & Connors LLP  
225 Franklin Street, Suite 3300  
Boston, Massachusetts 02110  
Telephone: (617) 426-9180  
Extension: 126